

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: HANS-ULRICH BERNARD ET AL.

SERIAL NO.: 09/763,616

GROUP ART UNIT: 1614

FILED: May 16, 2001

EXAMINER: B. Y. S. Kwon

FOR: THERAPEUTIC COMPOUNDS AND METHODS

ATTY. REFERENCE: BERN3001/REF

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF APPEALS

COMMISSIONER OF PATENTS

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Appeals from the decision dated: **October 20, 2004**  
of the Primary Examiner finally rejecting claims: **13, 14, 17-20, 23-35, 40 and 41**

The Appeal Fee is:

- ☒ enclosed      ☒ **\$170.** (NOA filed previously and \$330 paid on Aug. 3, 2004; accordingly Applicants need only pay the additional fee of \$170. )
- ☐ not required (fee paid in prior appeal in this application).
- ☐ requested to be charged to **Deposit Account Number 02-0200.** A duplicate copy of this sheet is enclosed.
- ☐ Small Entity Status is claimed.
- ☒ The Commissioner is hereby authorized to charge any additional fees associated with this communication, including fees due under *37 CFR 1.16* and *37 CFR 1.17* or credit any overpayment to **Deposit Account Number 02-0200.** A duplicate copy of this sheet is enclosed.

Adjustment date: 02/24/2005 MAHMED1  
08/04/2004 SHINASS1 00000055 09763616  
01 FC:1401 -330.00 OP

23364

Customer Number

Phone: (703) 683-0500

DATE: February 22, 2005

02/24/2005 MAHMED1 00000043 09763616

01 FC:1401

500.00 OP

*Respectfully submitted,*

*Richard E. Fichter*

Richard E. Fichter

Attorney for Applicant

Registration Number: 26,382